

BILL NO. 97-43, As Amended

COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 97-43, As Amended

Introduced by Council President Parrott at the request of the County Executive

Legislative Day No. 97-12

Date: April 15, 1997

AN ORDINANCE to authorize and empower Harford County, Maryland to borrow, on its full faith and credit, and issue and sell its bonds or other form of indebtedness therefor, in an amount not to exceed ~~Six Million One Hundred Thirty Thousand Dollars (\$6,130,000)~~ Six Million Five Hundred Twenty Thousand Dollars (\$6,520,000) principal amount, the proceeds thereof to be used for the expansion, reconstruction, rehabilitation, renovation and improvement of certain water and sewer system projects as described in the Annual Budget and Appropriation Ordinance, as amended, Bill No. 97-40, for the year ending June 30, 1998 and as described in this Ordinance (collectively the "Projects") in accordance with Section 524 of the Charter of Harford County ("Charter") and Sections 123-40 and 256-26 of the Code of Harford County ("Code") or as

By the Council, April 15, 1997

Introduced, read first time, ordered posted and public hearing scheduled

on: May 20, 1997

at: 7:00 p.m.

By Order: James D. Vannoy, Acting Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on May 20, 1997, and concluded on May 20, 1997.

James D. Vannoy, Acting Council Administrator

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by

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otherwise permitted by law; authorizing the County Council of Harford County, Maryland to adopt an administrative resolution that shall provide for the form of instrument by which any indebtedness or financing obligation is to be evidenced, the manner by which any indebtedness, line of credit, financing lease or similar obligation may be secured and the rate(s) of interest to be paid, and generally for such other matters as may be deemed appropriate by the County Council of Harford County, Maryland in connection herewith and authorizing the County Executive of Harford County, Maryland by Executive Order, to determine the form of various documents as are necessary to implement the financing authorized herein, the manner of issuance and delivery of any evidences of indebtedness, the payment of all necessary expenses in connection

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Acting Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on _____.

_____, Acting Council Administrator

EXPLANATION:

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therewith, the method by which such evidences of indebtedness shall be sold, maturity schedule, redemption provisions; authorizing the appointment of certain agents; and otherwise generally relating to the issuance, sale, delivery and payment of any such evidences of indebtedness or financing obligations; providing that such indebtedness shall be issued upon the full faith and credit of Harford County, Maryland; providing for the issuance of bond anticipation notes upon passage of a resolution by the County Council of Harford County, Maryland approving the interest rate or rates on said bond anticipation notes for all or a portion of the projects described herein, for which the proceeds of sale of the bond anticipation notes shall be used; providing that within twelve (12) months after the issuance of the bond anticipation notes, or any renewal thereof, the County Council of Harford County, Maryland shall authorize the issuance

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Acting Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on _____.

_____, Acting Council Administrator

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of bonds to pay said bond anticipation notes; providing that upon written recommendation of the County Executive and resolution of the County Council of Harford County, Maryland, all or a portion of the indebtedness authorized herein may be incurred pursuant to loans or evidence of indebtedness with the Maryland Water Quality Financing Administration ("Administration"); providing for disbursement of the proceeds of the sale of such bonds and for the levying of charges, assessments and all taxes necessary to provide payment of the principal of and interest on such bonds; providing that certain additional matters may be determined by resolution of the County Council of Harford County, Maryland or may be reserved unto the County Executive as prescribed by such

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Acting Council Administrator

PUBLIC HEARING

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_____, Acting Council Administrator

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resolution; providing the method of fixing the interest rates to be borne by such bonds and generally providing for and determining various matters in connection therewith; and generally relating to funding of certain capital projects.

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Acting Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on _____.

_____, Acting Council Administrator

EXPLANATION:

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1 WHEREAS, in accordance with the provisions of Section 406 of the Charter of
2 Harford County, the Director of Planning has heretofore transmitted to the County
3 Executive the recommendations of the Planning and Advisory Board for certain Capital
4 Improvements; and

5 WHEREAS, in accordance with the provisions of Section 505 of the Charter of
6 Harford County, the County Executive has reviewed such recommendations in light
7 of the existing capital programs and the County Executive and the Director of
8 Administration have included such recommendations for capital improvements, as
9 amended, in the proposed Capital Program which has been submitted to the County
10 Council of Harford County, Maryland and the County Council of Harford County,
11 Maryland has adopted a Capital Program and Capital Budget for the year ending
12 June 30, 1998, pursuant to Bill No. 97-40, as amended; and

13 WHEREAS, upon request of the County Executive and Resolution of the County
14 Council of Harford County, Maryland, Harford County may sell bond anticipation
15 notes in an amount not greater than the amount of bonds authorized herein, in
16 anticipation of the subsequent sale of the bonds, for all or a portion of the cost of the
17 projects described herein in accordance with the provisions of Article 31, Section 12
18 of the Annotated Code of Maryland (1997 Replacement Volume); and

19 WHEREAS, as a part of the said Capital Program and the said Capital Budget,
20 it is necessary that Harford County, Maryland, borrow a sum not exceeding Six
21 ~~Million One Hundred Thirty Thousand Dollars (\$6,130,000)~~ Six Million Five Hundred
22 Twenty Thousand Dollars (\$6,520,000) to be used to finance the cost of the
23 acquisition, construction, reconstruction, improvement, extension, site acquisition,

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1 architectural and engineering services, and furnishings and equipment for the
2 Projects, including financial, legal and planning expenses related thereto; and

3 WHEREAS, the County Council of Harford County, Maryland has authority to
4 incur debts on behalf of Harford County, Maryland; and

5 WHEREAS, the County Council of Harford County, Maryland is hereby
6 authorized to enact an Ordinance adopted in accordance with Section 524 of the
7 Charter of Harford County and other applicable provisions of law providing for the
8 issuance and sale and for the designation, form, tenor, denomination, maturities, and
9 the interest rates payable on any bonds or other form of indebtedness issued under
10 this Ordinance; and to levy annually *ad valorem* taxes upon the assessable property
11 within the County sufficient, together with other taxes and other available funds, to
12 provide for the payment of the interest on and principal of any bonds so issued; and

13 WHEREAS, the proposed bond issue or other form of indebtedness is within the
14 legal limitation on the indebtedness of Harford County, Maryland; and

15 WHEREAS, it is necessary to provide funds for the construction,
16 reconstruction, improvement, extension, acquisition, alteration, repair and
17 modernization, the cost of acquiring any sites, making site improvements,
18 architectural and engineering services, including preparation of plans, drawings and
19 specifications, the development of the grounds and landscaping thereof, financial,
20 legal and planning expenses and all customary appurtenances and equipment for the
21 Projects; and

22 WHEREAS, after written recommendation of the County Executive, public
23 hearing and affirmative vote of at least four (4) members of the County Council of

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1 Harford County, Maryland, the capital budget authorizing the Projects has been
2 amended and adopted; and

3 WHEREAS, the financing or indebtedness herein authorized, including the
4 aggregate principal amount of bonds or other indebtedness in an amount not to
5 exceed ~~Six Million One Hundred Thirty Thousand Dollars (\$6,130,000)~~ Six Million
6 Five Hundred Twenty Thousand Dollars (\$6,520,000), and interest rate(s), shall be
7 evidenced and incurred pursuant to a resolution or resolutions ("Resolution") to be
8 adopted by the County Council of Harford County, Maryland upon written
9 recommendation of the County Executive, pursuant to this Ordinance and other terms
10 of sale, including, but not limited to, maturity schedule, redemption provisions, form
11 of bond and date of sale shall be determined by the County Executive of Harford
12 County, Maryland, by Executive Order; and

13 WHEREAS, as an alternative to the indebtedness authorized herein, Harford
14 County, Maryland may incur all or a portion of such indebtedness with the
15 Administration.

16 NOW, THEREFORE, IN ACCORDANCE WITH THE PROVISIONS OF THE
17 CHARTER, THE CODE AND THE LAWS OF THE STATE OF MARYLAND:

18 SECTION 1. Be it enacted by the County Council of Harford County, Maryland
19 that, acting pursuant to the authority of the Charter, the Code and the laws of the
20 State of Maryland, Harford County, Maryland (the "County") hereby authorizes and
21 approves the incurring of debt or the payment of purchase price or rental installments
22 for the purpose of financing a portion of the capital cost of capital equipment,
23 improvements, extensions, modifications, alterations, or any combination thereof to

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the property of the County, including water and sewer systems in the County; together with the acquisition of all necessary property rights and equipment, and all related architectural, financial, legal, planning, design and engineering expenses associated with such capital equipment, improvements, extensions, modifications or alterations including

Sewer Projects

Amount to be Borrowed

Boulton Road Water Main Phase I	\$ 100,000
County Walk Tank/Booster Station	3,330,000
Fallston Business Fire Protection Upgrade	800,000
Perryman Bulk Soda Ash System	290,000
Red Pump Road Parrett Parallel - Water	60,000
Tollgate at Plumtree - Water	180,000
Water Zone Improvements	150,000
Bynum Run Parallel - Sewer	380,000
Pump Station Improvements - Sewer	290,000
Sewer Petitions	200,000
Sod Run Interceptor Parallel	250,000
Unanticipated Construction	100,000
<u>Bynum Run Sewer</u>	<u>390,000</u>

Total \$6,520,000

~~Total~~ ~~\$6,130,000~~

~~The principal amount of indebtedness to be incurred hereunder shall not exceed Six Million One Hundred Thirty Thousand Dollars (\$6,130,000).~~

The principal amount of indebtedness to be incurred hereunder shall not exceed Six Million Five Hundred Twenty Thousand Dollars (\$6,520,000).

SECTION 2. And be it further enacted by the County Council of Harford County, Maryland that prior to the issuance, sale and delivery of any bonds, bond anticipation notes, notes, evidences of indebtedness, line of credit, financing lease or installment purchase obligation in reliance on this Ordinance, the County Council

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1 of Harford County, Maryland shall (without limitation) determine administratively in
2 the Resolution:

3 (a) the form of instruments or agreements by which the debt or
4 financing authorized herein shall be evidenced (including, but not limited to, bonds,
5 bond anticipation notes, notes, book entry community participation bonds, letters of
6 credit, trust agreements, trust indentures, financing or installment purchase lease or
7 similar financing agreement, or participation in any "bond bank" or bond pooling
8 arrangement administered by the State of Maryland or a subsidiary entity of it);

9 (b) the manner, if any, by which any indebtedness or financing shall be
10 secured (including, but not limited to, a pledge of the revenues from the County's
11 water and sewer system or any other appropriate revenue stream, a letter or letters
12 of credit, bond or other such insurance and a pledge of the full faith and credit and
13 unlimited taxing power of the County);

14 (c) the rate or rates of interest or method of determining such rate or
15 rates; and

16 (d) whether the financing is to be accomplished by public sale, private
17 (negotiated) sale or by private placement.

18 The Resolution shall be deemed to be of an administrative nature and shall be
19 effective upon the date specified in the Resolution.

20 SECTION 3. And be it further enacted by the County Council of Harford
21 County, Maryland that the County Executive of Harford County, Maryland shall
22 determine the following matters by Executive Order:

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1 (a) the principal amounts, date, denominations, maturity payment
2 provisions and prepayment, tender and/or redemption provisions (if any) and other
3 terms and conditions thereof;

4 (b) the substantially final form and contents and consent to the
5 distribution (and shall authorize the execution and delivery, where applicable) of
6 various agreements and documents as are necessary to implement the financing
7 authorized herein, including, but not limited to, a Preliminary Official Statement and/or
8 an Official Statement, and in the event any evidence of indebtedness is sold through
9 competitive bidding, a Notice of Sale, and in the event any evidence of indebtedness
10 is sold by private (negotiated) sale, a Purchase Contract with the Underwriter(s)
11 thereof, and if any indebtedness is issued in book entry form, securities depository
12 agreements, (collectively the "Documents"), required for the issuance, sale and
13 delivery of any evidence of indebtedness or the completion of the financing authorized
14 herein, which Documents shall contain such provisions as may be required by law or
15 to consummate the financing authorized herein;

16 (c) the manner in which any evidence of indebtedness, lease financing
17 or installment purchase obligation shall be executed, sealed and attested (which may
18 be by facsimile signature and/or seal);

19 (d) provision for the payment of all necessary expenses of preparing,
20 printing and selling any evidence of indebtedness and the Documents including,
21 without limitation, any and all costs, fees and expenses incurred by or on behalf of
22 the County in connection with the authorization, issuance, sale and delivery of any
23 bonds or notes, and all costs incurred in connection with the development of the

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1 Documents, including the fees of counsel to the County, and compensation to any
2 persons (other than full-time employees of the County) or entities performing services
3 for or on behalf of the County in connection therewith and in connection with all
4 other transactions contemplated by this Ordinance regardless of whether the
5 proposed financing is consummated;

6 (e) such other matters in connection with the consummation of the
7 financing transactions contemplated by this Ordinance as may be deemed appropriate
8 by the County Executive of Harford County, Maryland, including (without limitation)
9 the appointment of agents (including, but not limited to, trustees, paying agents,
10 indexing agents and/or registrars) in connection with the financing, the execution,
11 acknowledgment, sealing and delivery of such other and further agreements,
12 documents and instruments, and the authorization of the officials of the County to
13 take any and all actions, as are or may be necessary or appropriate to consummate
14 the transactions contemplated by this Ordinance in accordance with the terms hereof
15 and of the Resolution.

16 The Executive Order shall be effective upon the date specified in the Executive
17 Order.

18 SECTION 4. And be it further enacted by the County Council of Harford
19 County, Maryland that authority is hereby conferred respectively on the County
20 Executive of Harford County, Maryland (the "County Executive"), the Director of
21 Administration, the Treasurer, the County Attorney and the Secretary of the County
22 Council of Harford County, Maryland, or any of them, and they are hereby directed
23 to take the following actions on behalf of the County:

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1 (a) to execute, acknowledge, seal and deliver the Documents
2 substantially in the forms determined administratively by the County Council of
3 Harford County, Maryland in the Resolution; and

4 (b) to execute, acknowledge, seal and deliver such other and further
5 certificates, certifications, agreements, documents and instruments and take such
6 other acts as they or any one or more of them may deem necessary or appropriate
7 to consummate the transactions contemplated by this Ordinance in accordance with
8 the provisions hereof and of the Resolution.

9 SECTION 5. And be it further enacted by the County Council of Harford
10 County, Maryland that the Treasurer, or his authorized deputy, is hereby authorized
11 and empowered to prepare and distribute copies of the Documents to any person who
12 may, in his judgment, be interested in participating in the financing of the Projects or
13 who may request the same or information with respect thereto; provided, however,
14 that any preliminary official statement and related material shall be clearly marked to
15 indicate that they are subject to completion and amendment.

16 SECTION 6. And be it further enacted by the County Council of Harford
17 County, Maryland that the County intends to provide funds for payment of principal
18 of, premium (if any) and interest on the bonds, or other indebtedness, from certain
19 funds related to operation of the water and sewer systems of the County. These
20 funds include area connection charges, special assessments, user surcharges, system
21 development fees, certain depreciation reserves relating to depreciation of the water
22 and sewer systems, a portion of the recordation tax received by the County as

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1 provided in Resolution No. 21-82 adopted by the County Council of Harford County,
2 Maryland on May 11, 1982 and earnings on the above-described funds.

3 To the extent any of the above-described funds is specifically designated for
4 payment of debt service on bonds, or other indebtedness, issued to acquire or
5 construct improvements to the water and sewer systems of the County, by the
6 legislation establishing the tax, assessment, surcharge or other source of revenue so
7 designated, and so long as such tax, assessment, surcharge or other revenue source
8 remains so designated and levied by the County, the County hereby covenants to
9 apply all such designated revenues to payments of debt service on bonds or other
10 indebtedness issued to acquire or construct improvements to the water and sewer
11 systems of the County, including the bonds or other indebtedness.

12 In the event that the funds described in this Section 6 (whether or not
13 designated for water and sewage system bond debt service) fail to provide sufficient
14 funds at any time while any of the bonds or other indebtedness are outstanding for
15 the purpose of paying principal of, premium (if any) and interest on the bonds or other
16 indebtedness, when due and payable, the County hereby covenants and agrees, with
17 each of the holders, from time to time, of any of the bonds or other indebtedness,
18 that it shall promptly cause to be levied against all assessable property within the
19 County annually, so long as any of the bonds or other indebtedness are outstanding
20 and not paid, an *ad valorem* tax sufficient in rate and amount to provide for payment
21 of such principal of, premium (if any) and interest on the bonds or other indebtedness
22 when due. Such tax shall be levied in accordance with the Charter. The County, by
23 the passage of this Ordinance, hereby covenants and agrees properly and promptly

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1 to perform all of the respective acts and duties defined in the Charter for the levy and
2 collection of the aforesaid *ad valorem* tax upon all the assessable property within the
3 corporate limits of the County, as the levy and collection of such a tax becomes
4 necessary in order to provide for the payment of principal of, premium (if any) and
5 interest on the bonds or other indebtedness.

6 SECTION 7. And be it further enacted by the County Council of Harford
7 County, Maryland that if the County Council of Harford County, Maryland determines
8 in the Resolution that it is in the best interests of the County to sell any evidence of
9 indebtedness or lease financing or installment purchase obligation by private
10 (negotiated) sale, the County Council of Harford County, Maryland hereby authorizes
11 (a) the appointment of an underwriter (the "Underwriter") in connection with the sale
12 thereof, and (b) the payment by the County to the Underwriter out of the proceeds
13 of the sale thereof or otherwise for services rendered in connection therewith, such
14 compensation to be determined in the Resolution.

15 SECTION 8. And be it further enacted by the County Council of Harford
16 County, Maryland that the County Executive is hereby authorized and empowered for
17 and on behalf of the County (a) to cause the preparation, printing, execution and
18 delivery of the Documents, each substantially in the form provided in the Resolution
19 or in the Executive Order of the County Executive, with such modifications,
20 supplements or amendments thereto as may be recommended by counsel; and (b) to
21 do all such things as may be necessary or desirable in the opinion of the County
22 Executive in connection therewith.

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1 SECTION 9. And be it further enacted by the County Council of Harford
2 County, Maryland that nothing herein contained shall authorize the expenditure of
3 County funds until such time as such expenditure shall have been appropriated by the
4 County Council of Harford County, Maryland, and this Ordinance shall not be
5 construed as authorizing or approving any project not otherwise authorized or
6 approved by all appropriate legal authorization.

7 SECTION 10. And be it further enacted by the County Council of Harford
8 County, Maryland that unless changed by the Resolution or the Executive Order, if
9 the indebtedness herein authorized is represented by bonds: (a) the bonds shall be
10 issued pursuant to the authority of this Ordinance and shall be dated October 1,
11 1997; (b) the bonds shall be issued in the denominations of Five Thousand Dollars
12 (\$5,000) or any integral multiple thereof, and shall be numbered from one (1)
13 consecutively upward in the order of their maturities. The bonds shall mature over
14 a period not to exceed twenty (20) years from their date in twenty (20) annual serial
15 installments beginning in the year 1998 and ending in the year 2017. The bonds shall
16 mature on March 1 in each of said years as follows: ~~Four Hundred Thirty Thousand~~
17 ~~Dollars (\$430,000) in 1998 and Three Hundred Thousand Dollars (\$300,000) in each~~
18 ~~of the years 1999 through 2017, inclusive~~ Three Hundred Twenty Thousand Dollars
19 (\$320,000) in each of the years 1998 through 2016, inclusive and Four Hundred Forty Thousand
20 Dollars (\$440,000) in the year 2017. The term and maturity schedule of the bonds or
21 other indebtedness may be changed, increased or decreased upon Executive Order
22 of the County Executive, but the aggregate principal amount of indebtedness to be

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1 incurred shall not exceed ~~Six Million One Hundred Thirty Thousand Dollars~~
2 ~~(\$6,130,000)~~ Six Million Five Hundred Twenty Thousand Dollars (\$6,520,000).

3 SECTION 11. Be it further enacted by the County Council of Harford County,
4 Maryland that if the indebtedness herein authorized is represented by bonds, the
5 bonds shall bear interest at the rate or rates named by the successful bidder for the
6 bonds in accordance with the Notice of Sale hereinafter set forth, as may hereafter
7 be amended, upon written recommendation of the County Executive, by
8 administrative resolution of the County Council of Harford County, Maryland, and said
9 interest shall be payable semiannually on the first days of March and September in
10 each of the years that the bonds are outstanding. Interest on the bonds will be
11 payable by check or draft of the Paying Agent mailed to the registered owners
12 thereof. The bonds, when issued, shall be executed in the name of Harford County,
13 Maryland, by the facsimile signature of the County Executive, and a facsimile of the
14 corporate seal of the County shall be imprinted on each of the bonds attested by the
15 facsimile signature of the Director of Administration of Harford County and the
16 manual signature of an authorized officer of the Bond Registrar. The facsimiles of
17 said signatures and said seal shall be engraved, printed or lithographed on each of the
18 bonds in accordance with, and pursuant to the authority of Sections 2-301 through
19 2-306 inclusive of the State Finance and Procurement Article of the Annotated Code
20 of Maryland (1995 Replacement Volume and 1996 Supplement). If the indebtedness
21 is represented by bonds, the bonds shall be subject to registration as to principal and
22 interest, in the name or names of the owner or owners thereof on books kept for that
23 purpose at the principal office of the Bond Registrar and the principal of the bonds

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1 shall be payable upon presentation and surrender thereof at the principal office of the
2 Paying Agent or the ownership of the indebtedness may, pursuant to Executive Order
3 of the County Executive, be maintained by a book entry system. The Bond Registrar
4 and Bond Paying Agent shall be determined by Executive Order of the County
5 Executive. Payment of interest on the bonds shall be made by the Paying Agent on
6 each payment date, to each person appearing on the registration books of the
7 County, maintained by the Bond Registrar, as the registered owner thereof, by check
8 or draft mailed to each such registered owner at his or her address as it appears on
9 such registration books. There shall be printed on each bond the text of the
10 approving legal opinion of bond counsel with respect to the bonds. Except as
11 provided hereinafter or in an Executive Order of the County Executive prior to the
12 issuance of the bonds, if the indebtedness authorized herein is represented by bonds,
13 the bonds shall be in substantially the following form, which form, together with all
14 covenants and conditions therein contained, is hereby adopted by the County Council
15 of Harford County, Maryland as and for the form of obligation to be incurred by
16 Harford County, and said covenants and conditions, including the promise to pay
17 therein contained, are hereby made binding upon the County, in accordance with the
18 endorsement on said bonds:

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1 UNITED STATES OF AMERICA

2 STATE OF MARYLAND

3 HARFORD COUNTY, MARYLAND

4 HARFORD COUNTY WATER AND SEWER BONDS OF 1998

5 No.

No.

6 Registered Owner:

7 \$5,000

\$5,000

8 (Dated September 1, 1998)

9 HARFORD COUNTY, MARYLAND, a body politic and corporate, organized and
10 existing under the Constitution and laws of the State of Maryland, hereby
11 acknowledges itself indebted and, for value received, promises to pay to the
12 registered owner or registered assignees of this bond, the principal sum of FIVE
13 THOUSAND DOLLARS (\$5,000)

14 on _____, _____

15 upon presentation and surrender of this bond and to pay interest thereon, from the
16 date of this bond at the rate of _____ percent (____%) per annum until payment
17 of said principal sum, such interest to the maturity hereof being payable on March 1,
18 1998, and semiannually thereafter on the first days of September and March in each
19 year by check or draft of the Paying Agent (hereinafter described) mailed to the
20 registered owners of record as interest becomes due and payable.

21 Both the principal of and interest on this bond will be paid in lawful money of
22 the United States of America, at the time of payment, at the principal office of ____
23 _____, Baltimore, Maryland ("Paying Agent").

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1 This bond shall be registered in the name of the owner on the registration
2 books kept for that purpose at the principal office of _____,
3 Baltimore, Maryland ("Bond Registrar"), and such registration shall be noted on the
4 back of this bond, after which no transfer hereof shall be valid unless made on the
5 said registration books by the registered owner hereof in person or by his duly
6 authorized attorney, and similarly noted on this bond. The County, Bond Registrar
7 and Paying Agent may deem and treat the person in whose name this bond is
8 registered as the absolute owner hereof for all purposes. This bond, upon surrender
9 hereof at the principal office of the Bond Registrar with a written instrument of
10 transfer satisfactory to the Bond Registrar, duly executed by the registered owner
11 hereof, or his (her) duly authorized attorney, may, at the option of the registered
12 owner hereof, be exchanged for an equal aggregate principal amount of bonds of
13 authorized denominations and of the same form and tenor as this bond. For every
14 such exchange or transfer of bonds, the County or the Bond Registrar shall make a
15 charge for any tax or other governmental charge required to be paid with respect to
16 such exchange or transfer. Such charge shall be paid by the registered owner
17 requesting such exchange or transfer as a condition precedent to the exercise of such
18 privilege. The Bond Registrar shall not be obligated to make any such exchange or
19 transfer of bonds during the fifteen (15) days next preceding an interest payment date
20 on the bonds, or in case of any proposed redemption of bonds, during the fifteen (15)
21 days next preceding the date of the publication of notice of such redemption. The
22 Bond Registrar shall not be required to make any transfer or exchange of any bonds
23 called for redemption.

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1 This bond is one of a duly authorized issue or series of bonds aggregating Six
2 ~~Million One Hundred Thirty Thousand Dollars (\$6,130,000)~~ Six Million Five Hundred
3 Twenty Thousand Dollars (\$6,520,000) in principal amount, which are of the
4 denomination of Five Thousand Dollars (\$5,000) or integral multiples thereof. These
5 bonds mature serially in installments on the first day of March in each of the years
6 1998 to 2017, inclusive, as follows: ~~Four Hundred Thirty Thousand Dollars~~
7 ~~(\$430,000) in 1998; and Three Hundred Thousand Dollars (\$300,000) in each of the~~
8 ~~years 1999 through 2017, inclusive~~ Three Hundred Twenty Thousand Dollars (\$320,000)
9 in each of the years 1998 through 2016, inclusive and Four Hundred Forty Thousand Dollars
10 (\$440,000) in the year 2017. These bonds are numbered from one (1) consecutively
11 upwards in the order of their maturities, are of like tenor except as to maturity,
12 number and interest rate, are issued pursuant to and in full conformity with the
13 provisions of the Charter of Harford County, as amended, and by virtue of due
14 proceedings had and taken by the County Council of Harford County, Maryland
15 particularly an Ordinance enacted on _____, 1997, entitled Bill No.
16 97-43 and a Resolution adopted on _____.

17 The full faith and credit and unlimited taxing power of Harford County,
18 Maryland, is pledged to the punctual payment of the principal of and interest on this
19 bond according to its terms, and said County covenants and agrees punctually to pay
20 the principal of this bond and the interest thereon, at the dates and in the manner
21 mentioned herein.

22 The bonds of the issue which mature on or before September 1, _____, are not
23 subject to redemption prior to their maturities. The bonds which mature on or after

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September 1, ____, shall be subject to redemption as a whole at any time or in part on any interest payment date, and in any order of maturity, at the option of the County on September 1, ____, or on any redemption date thereafter upon notice of call for redemption given by publication at least thirty (30) days prior to the date of redemption in a newspaper published and circulating in Harford County and in the City of Baltimore, Maryland, and also in a financial newspaper published and circulating in the City of New York, New York, at a redemption price, expressed as a percentage of the principal amount of the bonds to be redeemed, set forth in the table below, together with interest accrued to the date fixed for redemption.

Date of Redemption

Optional Redemption Price

If less than all of the bonds of any one maturity shall be called for redemption, the particular bonds to be redeemed shall be selected by lot by _____, _____, _____, Paying Agent.

No covenant or agreement contained in this bond shall be deemed to be a covenant or agreement of any officer, agent or employee of the County in his or her individual capacity and neither the members of the County Council of Harford County, Maryland nor any official executing this bond shall be liable personally on this bond or be subject to any personal liability or accountability by reason of the issuance of this bond.

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1 It is hereby certified and recited that each and every act, condition and thing
2 required to exist, to be done, to have happened and to be performed precedent to and
3 in the issuance of this bond, does exist, has been done, has happened and has been
4 performed in full and strict compliance with the Constitution and laws of the State of
5 Maryland, the Charter and Code of Harford County and the Ordinance and Resolution
6 above referred to, and that the issue of bonds of which this is one, together with all
7 other indebtedness of Harford County, Maryland, is within every debt and other limit
8 prescribed by the Constitution and laws of said State and the Charter and Code of
9 Harford County, and that due provision has been made for the levy and collection, if
10 and when necessary, of an annual *ad valorem* tax or taxes upon all the legally
11 assessable property within the corporate limits of Harford County, Maryland, as
12 prescribed by law, in rate and amount sufficient to provide for the payment, when
13 due, of the interest on and the principal of this bond.

14 IN WITNESS WHEREOF Harford County, Maryland, has caused this bond to be
15 executed in its name by the facsimile signature of the County Executive, which
16 signature has been imprinted thereon, and has also caused a facsimile of its corporate
17 seal to be imprinted hereon, attested by the facsimile signature of the Director of
18 Administration, and the manual signature of an authorized officer of the Bond
19 Registrar, all as of the _____ day of _____, 1997.

20 Attest: HARFORD COUNTY, MARYLAND

21 _____ BY: _____

22 Director of Administration County Executive

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1

CERTIFICATE OF AUTHENTICATION

2

3

This bond is one of the registered bonds of Harford County, Maryland Water
and Sewer Bonds of 1998.

4

5

Authorized Officer

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1

(Form of Registration)

2

(No writing hereon except by an officer of _____,

3

Baltimore, Maryland, Bond Registrar.)

4

Date of Registry

Name of Registered Holder

Registered By

5

6

7

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ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(please insert name and address of the assignee)

(Tax Identification or Social Security No. _____)

the within bond, and hereby irrevocably constitutes and appoints

attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Signature guaranteed:

NOTICE: Signature must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company

NOTICE: The signature on this Assignment must correspond with the name of the registered owner as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatever.

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1 SECTION 12. Be it further enacted by the County Council of Harford County,
2 Maryland that if the indebtedness herein authorized is represented by bonds, the
3 bonds shall be sold by bids on sealed proposals to the bidder therefor for cash whose
4 bid is deemed to be for the best interest of the County, after giving at least ten (10)
5 days' public notice by advertisement inserted twice in one or more daily or weekly
6 newspapers having a general circulation in the County, said sale to be held not sooner
7 than ten (10) days following the first insertion of said advertisement. Said
8 advertisement or a summary thereof shall also be published in "The Bond Buyer", a
9 financial journal published in the City of New York. The Award of the Bonds, if made,
10 shall be approved by resolution of the County Council of Harford County, Maryland
11 after written recommendation of the County Executive, to the bidder offering the
12 lowest interest cost determined in accordance with the true interest cost method
13 (TIC). The sale of the bonds, unless changed by Executive Order of the County
14 Executive, shall be held on September 15, 1997, at the office of the Treasurer of
15 Harford County, Maryland, located at 220 South Main Street, Bel Air, Maryland, at
16 11:00 o'clock A.M., E.S.T. or E.D.T. (whichever time may then be in effect), or on
17 such other date and at such other time and location as may be provided by Executive
18 Order of the County Executive.

19 SECTION 13. Be it further enacted by the County Council of Harford County,
20 Maryland that the official Notice of Sale shall be in substantially the form hereinafter
21 set forth and the terms, provisions and conditions set forth in said form of Notice of
22 Sale are hereby adopted and approved as the terms, provisions and conditions under
23 which and the manner in which the bonds shall be sold, issued and delivered at public

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1 sale. In addition, there is hereinafter set forth a form of Proposal to be used by all
2 persons submitting proposals for the purchase of the bonds. The official Notice of
3 Sale, upon resolution of the County Council of Harford County, Maryland, may be
4 consolidated with the Official Notice of Sale for other bonds to be sold by the County
5 at the same time. The official Notice of Sale and Proposal for the bonds shall be in
6 substantially the following form (unless changed by Executive Order of the County
7 Executive adopted prior to the sale of the bonds):

BILL NO. 97-43, As Amended

1 \$6,130,000~~6,520,000~~

2 HARFORD COUNTY, MARYLAND

3 HARFORD COUNTY WATER AND SEWER BONDS OF 1998

4 SEALED BIDS will be received by the Treasurer of Harford County, Maryland
5 (the "County") at 220 South Main Street, Bel Air, Maryland, until 11:00 o'clock A.M.,
6 E.S.T. or E.D.T. (whichever shall then be in effect) on September 15, 1997 for the
7 purchase of ~~Six Million One Hundred Thirty Thousand Dollars (\$6,130,000)~~ Six Million
8 Five Hundred Twenty Thousand Dollars (\$6,520,000) Harford County, Maryland
9 Water and Sewer Bonds of 1998 (the "Bonds") all being dated September 1, 1997,
10 and bearing interest payable semi-annually on the first days of March and September
11 until maturity. The Bonds are issued under the provisions of an Ordinance adopted
12 by proceedings of the County Council of Harford County, Maryland on _____,
13 1997. The Bonds mature on March 1 in each of the years 1998 to 2017 as follows:
14 ~~Four Hundred Thirty Thousand Dollars (\$430,000) in 1998; and Three Hundred~~
15 ~~Thousand Dollars (\$300,000) in each of the years 1999 through 2017, inclusive~~ Three
16 Hundred Twenty Thousand Dollars (\$320,000) in each of the years 1998 through 2016, inclusive
17 and Four Hundred Forty Thousand Dollars (\$440,000) in the year 2017.

18 The proceeds of the sale of the Bonds will be used to finance the cost of
19 construction, reconstruction, improvement, extension, acquisition, alteration, repair,
20 the cost of acquiring sites, making site improvements, architectural and engineering
21 services, including preparation of plans, drawings and specifications, and the
22 development of the grounds and landscaping and all customary appurtenances and

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1 equipment for the renovation and expansion of certain Water and Sewer Capital
2 Projects described in the Ordinance and as more particularly set forth in the Annual
3 Budget and Appropriation Ordinances of Harford County, Maryland, as amended, for
4 the year ending June 30, 1998.

5 The principal of the Bonds will be payable in lawful money of the United States
6 of America at the time of payment, upon presentation and surrender thereof, at the
7 principal office of _____, Baltimore, Maryland
8 ("Bond Registrar" and "Paying Agent"). Payment of interest on the Bonds shall be
9 made by the Paying Agent on each payment date, to each person appearing on the
10 registration books of the County, maintained by the Bond Registrar, as the registered
11 owner thereof, by check or draft mailed to each such registered owner at his or her
12 address as it appears on such registration books.

13 The Bonds will be issued in the denomination of Five Thousand Dollars
14 (\$5,000) or integral multiples thereof. The bonds will be subject to registration on
15 books kept for that purpose at the principal office of the Bond Registrar.

16 The Bonds which mature on or before _____, are not subject to
17 redemption prior to their maturities. The bonds which mature on and after _____
18 _____, shall be subject to redemption as a whole at any time or in part on any
19 interest payment date, and in any order of maturity, at the option of the County on
20 _____, or on any redemption date thereafter upon notice of call for
21 redemption given by publication at least thirty (30) days prior to the date of
22 redemption in a newspaper published and circulating in Harford County and in the
23 City of Baltimore, Maryland, and also in a financial newspaper published and

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1 circulating in the City of New York, New York, at a redemption price, expressed as
2 a percentage of the principal amount of the bonds to be redeemed, set forth in the
3 table below, together with interest accrued to the date fixed for redemption:

4 Date of Redemption

Optional Redemption Price

5 If less than all of the bonds of any one maturity shall be called for redemption, the
6 particular bonds to be redeemed shall be selected by lot by the Paying Agent.

7 Each bid must be submitted on the prescribed form accompanying the
8 Preliminary Official Statement and must be enclosed in a sealed envelope addressed
9 to "Treasurer, Harford County, Maryland, Bel Air, Maryland", and marked on the
10 outside "Proposal for Water and Sewer Bonds of 1998", such bid to be accompanied
11 by a good faith deposit in the form of a certified check upon, or a cashier's or
12 treasurer's check of, a responsible banking institution or a financial surety bond as
13 described below, payable to "Harford County, Maryland" for One Hundred Twenty
14 Thousand Dollars (\$120,000). The check of the successful bidder will be collected
15 and the proceeds thereof retained by the County to be applied in part payment for the
16 bonds, and no interest will be allowed upon the amount thereof; but, in the event the
17 successful bidder shall fail to comply with the terms of such bid, the proceeds of such

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1 check will be retained as and for full liquidated damages. The checks of the
2 unsuccessful bidders will be returned promptly.

3 In lieu of submitting a check, a bidder may submit a financial surety bond from
4 an insurance company satisfactory to the County licensed to issue such a bond in the
5 State of Maryland, and such bond must be submitted to the County c/o Miles &
6 Stockbridge, a Professional Corporation, 600 Washington Avenue, Towson, Maryland
7 21204, Bond Counsel, prior to 11:00 a.m., E.S.T. or E.D.T. (whichever time shall
8 then be in effect) on the date of sale. The financial surety bond must identify each
9 bidder whose good faith deposit is guaranteed by such financial surety bond. If the
10 bonds are awarded to a bidder utilizing a financial surety bond, then the successful
11 bidder is required to submit its good faith deposit to the Treasurer of the County in
12 one of the forms described in the preceding paragraphs not later than 3:30 p.m.
13 (E.S.T or E.D.T. [whichever time shall then be in effect]) on the next business day
14 following the award. If such good faith deposit is not received by that time, the
15 financial surety bond may be drawn by the County to satisfy the good faith deposit
16 requirement.

17 The County will not consider and will reject any bid for the purchase of less
18 than all of the Bonds. The right is reserved to reject any and all bids and to waive
19 any informality or irregularity in any proposal or bid. Acceptance of the successful
20 bid is subject to approval, by resolution, of the County Council of Harford County,
21 Maryland.

22 It is expected that CUSIP identification numbers will be printed on the bonds,
23 but neither the failure to print any such number on any bond nor any error with

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1 respect thereto shall constitute cause for a failure or refusal by a successful bidder
2 to accept delivery of and pay for the Bonds in accordance with the terms of this
3 Notice of Sale.

4 Bidders must bid at least par for the Bonds and accrued interest to the date of
5 delivery of the Bonds, and must specify the rate or rates of interest to be paid
6 thereon, in multiples of one-eighth (1/8th) or one-twentieth (1/20th) of one percent
7 (1%) per annum. Bidders may specify more than one rate of interest to be borne by
8 the Bonds, but may not specify more than one interest rate for the Bonds of each
9 maturity. A zero rate cannot be named for any maturity. The interest payable on any
10 Bond on any interest payment date shall be represented by a single interest rate. The
11 differences between the highest and lowest interest rates shall not exceed two
12 percent (2%).

13 Bids will be opened promptly after 11:00 A.M., E.S.T. or E.D.T. (whichever
14 time shall then be in effect) on September 15, 1997, or such other date and at such
15 other time as may be provided in a resolution of the County Council of Harford
16 County, Maryland. The award, if made, will be made promptly after the bids are
17 opened to the bidder offering the lowest true interest cost to the County, within the
18 guidelines of this Notice of Sale, such lowest interest cost to be determined in
19 accordance with the true interest cost (TIC) method by doubling the semi-annual
20 interest rate (compounded semi-annually) necessary to discount the debt service
21 payments from the payment date to the date of the Bonds and to the price bid,
22 excluding interest accrued to the date of delivery. If two or more responsible bidders
23 have made proposals, each of which represents the lowest true interest cost to the

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1 County (computed in accordance with the terms of this Notice of Sale), then the
2 Bonds may be awarded, with their consent, in a ratable portion among such bidders,
3 or the County may, in its sole discretion, determine to which of such bidders the
4 Bonds will be awarded.

5 The Bonds will be delivered to the successful bidder or bidders as soon as
6 practicable, upon due notice and at the expense of the County, at such location in
7 New York, New York or Baltimore, Maryland, as the successful bidder may designate,
8 upon payment of the successful bid (including any premium) plus accrued interest to
9 the date of delivery; less the deposit theretofore made. Such payment shall be made
10 in federal funds or other immediately available funds. The successful bidder shall
11 advise the Bond Registrar of the names of the initial registered owners of the Bonds
12 and the denominations of the initial Bonds not later than seven (7) business days
13 before the expected date and time of delivery of the Bonds.

14 The successful bidder must, prior to the delivery of the Bonds, certify to the
15 County the amount of the initial offering price to the public (excluding bond houses
16 and brokers) at which a substantial portion (at least 10%) of the Bonds of each
17 maturity have or will be sold.

18 The Bonds, and payment of the principal and interest thereon, will be the
19 unconditional general obligation of the County and will constitute an irrevocable
20 pledge of the full faith and credit and unlimited taxing power of Harford County.

21 The issuance of the Bonds will be subject to legal approval of Miles &
22 Stockbridge, a Professional Corporation, Baltimore, Maryland, and a copy of their
23 opinion will be delivered upon request, without charge, to the successful bidder for

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1 the Bonds. The text of such approving legal opinion will be printed on each Bond.
2 There will also be furnished the usual closing papers, including a certificate stating
3 that there is no litigation pending affecting the validity of the Bonds.

4 It shall be a condition to the obligation of the successful bidder to accept
5 delivery of and pay for the Bonds that, simultaneously with or before delivery and
6 payment for the Bonds, such bidder shall be furnished a certificate or certificates of
7 the County Executive, Treasurer and Director of Administration to the effect that, to
8 the best of their knowledge and belief, the Official Statement (and any amendment
9 or supplement thereto) as of the date of sale and as of the date of delivery of the
10 Bonds does not contain any untrue statement of a material fact and does not omit to
11 state a material fact necessary to make the statements therein, in the light of the
12 circumstances under which they were made, not misleading and that between the
13 date of sale and the date of delivery of the Bonds of such issue there has been no
14 material adverse change in the financial position or revenues of the County except as
15 reflected or contemplated in the Official Statement (and any amendment or
16 supplement thereto).

17 The Preliminary Official Statement of the County concerning the Bonds (the
18 "Preliminary Official Statement") is in a form "deemed final" by the County for
19 purposes of SEC Rule 15c2-12(b)(1) but is subject to revision, amendment and
20 completion in the final Official Statement.

21 As soon as practicable after the award of the Bonds to the successful bidder
22 therefor on the day of sale, the County will approve the final Official Statement for
23 the Bonds. By submitting its bid for the Bonds, each bidder agrees that, if it is the

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1 successful bidder, it will provide the County with pricing information and such other
2 information as the County may require in order that the County may provide the
3 successful bidder with a final Official Statement in compliance with the Rule.
4 Whether or not any such information is included in the Official Statement (and any
5 amendment or supplement thereto), such successful bidder shall be responsible to the
6 County and its officials in all respects for the accuracy, fairness and completeness of
7 such information, and for all decisions made with respect to the use or omission of
8 such information in any re-offering of the Bonds, including the presentation or
9 exclusion of any such information in any documents, including the Official Statement.
10 Within seven (7) business days after the award of the Bonds, the successful bidder
11 will also be furnished, without cost, with up to 100 copies of the Official Statement
12 (and any amendment or supplement thereto), and such successful bidder may obtain
13 additional copies at its own expense.

14 The County will undertake to provide the successful bidder with further
15 additional information to be included in such Official Statement, when in the opinion
16 of the County or of Bond Counsel, such additional information constitutes a material
17 change to such Official Statement. The County will take such steps as are necessary
18 to arrange for amending and supplementing the Official Statement in connection with
19 the disclosure of such additional information; provided, however, that the County
20 shall have no obligation to provide such additional information after the date which
21 is twenty-five (25) days after the "end of the underwriting period", as such term is
22 defined in the Rule.

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1 The County further covenants, in order to assist bidders in complying with SEC
2 Rule 15c2-12(b)(5), pursuant to a continuing disclosure agreement (the "Continuing
3 Disclosure Agreement") signed by the County Executive, Treasurer and Director of
4 Administration, to provide annual reports and notices of certain events. The
5 undertaking of the County in the Continuing Disclosure Agreement shall be described
6 in any Preliminary Official Statement and Official Statement and any amendment or
7 supplement thereto.

8 The Preliminary Official Statement, a full financial statement concerning the
9 County, the required form of proposal, and other data in reference thereto as may be
10 desired will be supplied to prospective bidders upon request made to James M.
11 Jewell, Treasurer, 220 South Main Street, Bel Air, Maryland [(410) 879-2000], or
12 from Public Advisory Consultants, 117 Water Street, Baltimore, Maryland 21202
13 [(410) 539-2418], Financial Advisor to the County.

14 HARFORD COUNTY, MARYLAND

15 By: Eileen M. Rehrmann
16 County Executive

BILL NO. 97-43, As Amended

PROPOSAL FOR WATER AND SEWER BONDS OF 1998

Treasurer, Harford County, Maryland
220 South Main Street
Bel Air, Maryland 21014

Gentlemen:

Subject to the provisions and in accordance with the terms of the annexed Notice of Sale, which is a part of this Proposal, we offer to purchase the obligations of Harford County, Maryland, described in such Notice being ~~Six Million One Hundred Thirty Thousand Dollars (\$6,130,000)~~ Six Million Five Hundred Twenty Thousand Dollars (\$6,520,000) Harford County Water and Sewer Bonds of 1998, the bonds maturing in the several years shown in the table below and subject to redemption as provided in the Notice of Sale, to bear interest at the rates per annum set opposite such years, respectively, in said table, and to pay ~~Six Million One Hundred Thirty Thousand Dollars (\$6,130,000)~~ Six Million Five Hundred Twenty Thousand Dollars (\$6,520,000), the par value of said obligations, plus interest accrued to the date of payment of the purchase price, plus a premium in the amount of _____ Dollars (\$ _____).

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
1998	\$430,000 <u>\$320,000</u>	_____ %
1999	\$300,000 <u>\$320,000</u>	_____ %
2000	\$300,000 <u>\$320,000</u>	_____ %
2001	\$300,000 <u>\$320,000</u>	_____ %
2002	\$300,000 <u>\$320,000</u>	_____ %
2003	\$300,000 <u>\$320,000</u>	_____ %
2004	\$300,000 <u>\$320,000</u>	_____ %

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1	2005	\$300,000 <u>320,000</u>	_____ %
2	2006	\$300,000 <u>320,000</u>	_____ %
3	2007	\$300,000 <u>320,000</u>	_____ %
4	2008	\$300,000 <u>320,000</u>	_____ %
5	2009	\$300,000 <u>320,000</u>	_____ %
6	2010	\$300,000 <u>320,000</u>	_____ %
7	2011	\$300,000 <u>320,000</u>	_____ %
8	2012	\$300,000 <u>320,000</u>	_____ %
9	2013	\$300,000 <u>320,000</u>	_____ %
10	2014	\$300,000 <u>320,000</u>	_____ %
11	2015	\$300,000 <u>320,000</u>	_____ %
12	2016	\$300,000 <u>320,000</u>	_____ %
13	2017	\$300,000 <u>440,000</u>	_____ %

14 We enclose herewith a certified cashier's or treasurer's check, payable to the
15 order of "Harford County, Maryland", in the amount of One Hundred Twenty
16 Thousand Hundred Dollars (\$120,000), which check is to be applied in accordance
17 with the annexed Notice of Sale.

18 If we are the successful bidder for the Bonds we agree: (1) to provide full and
19 complete pricing information with respect to the Bonds to Harford County, Maryland
20 (the "County") in a timely manner so that the County may fulfill its obligation relating
21 to the delivery of the Official Statement to the purchaser of the Bonds within seven
22 (7) business days following the award, including, without limitation, the offering
23 price(s), interest rate(s), selling compensation, delivery dates and other similar
24 information; (2) to comply with the requirements of SEC Rule 15c2-12 and the
25 applicable rules of the Municipal Securities Rulemaking Board in connection with the

BILL NO. 97-43, As Amended

1 offer and sale of the Bonds; (3) to furnish to the County before the delivery of the
2 Bonds such information as shall be necessary to enable the County to determine the
3 "issue price" of the Bonds as defined in Sections 148(h), 1273 and 1274 of the
4 Internal Revenue Code of 1986, as amended; (4) within three (3) business days after
5 the final Official Statement becomes available, to cause copies thereof to be filed with
6 one or more "nationally-recognized municipal securities information repositories", as
7 such term is defined in SEC Rule 15c2-12; and (5) to certify at the time of the
8 issuance of the Bonds that the final Official Statement is in form satisfactory to us.

9 _____
10 _____
11 _____
12 (The aggregate amount of interest from the date of the Bonds to final maturity is __
13 _____ Dollars (\$_____). The true interest cost is _____
14 ____ percent (____%). This is requested to expedite and facilitate prompt
15 determination of best bid. It is not a part of the proposal. The omission or
16 inaccuracy of these figures will not effect the validity of the proposal.) The
17 differences between the highest and lowest interest rates shall not exceed two per
18 cent (2%). A zero rate may not be named for any maturity.

19 SECTION 14. Be it further enacted by the County Council of Harford County,
20 Maryland that upon request of the County Executive, the County Council of Harford
21 County, Maryland may, at any time, prior to the public sale of the bonds, by
22 administrative resolution(s), change the projects to be constructed with the proceeds
23 of sale of the bonds, and the County Executive by Executive Order may determine or

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1 change the Notice of Sale, date of sale, the date or location of bid opening, the dates
2 of maturity or redemption of the bonds, the amount of the bonds to be sold (but not
3 in excess of and the amounts of bonds maturing in each year, the interest payment
4 dates of the bonds, appoint paying agent(s) and/or registrar(s) for the bonds, whether
5 ownership of the bonds or other indebtedness shall be maintained in book entry form,
6 and the terms of sale of the bonds.

7 SECTION 15. Be it further enacted by the County Council of Harford County,
8 Maryland that immediately after the sale of the bonds, and upon written
9 recommendation of the County Executive the interest rate or rates payable thereon
10 shall be fixed by a resolution of the County Council of Harford County, Maryland in
11 accordance with the terms and conditions of the sale of the bonds. The bonds shall
12 thereupon be suitably printed or engraved and duly executed and delivered to the
13 purchaser in accordance with the conditions of delivery set forth in the foregoing
14 Notice of Sale. The proceeds of the sale of the bonds, including any premium and
15 accrued interest received therefor, shall be paid to the Department of the Treasury of
16 Harford County and shall be deposited in a special account of Harford County,
17 Maryland. The County may, at its option, deduct from the gross proceeds received
18 from the sale of the bonds the cost of issuing the same, including the cost of
19 advertising, printing and professional fees (including legal) and expenses. There shall
20 be deducted from the total gross proceeds received from the sale of the bonds the
21 amount received on account of accrued interest on the bonds, which amount shall be
22 set apart by the Treasurer of Harford County in a special fund and applied to the first
23 maturing interest payments on the bonds. The balance of the proceeds of the sale

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1 of the bonds shall be expended only to finance the Projects as set forth in this
2 Ordinance and as more particularly described in the Annual Budget and Appropriation
3 Ordinance of Harford County, Maryland, as amended, for the year ending June 30,
4 1998. If the funds derived from the sale of the bonds shall exceed the amount
5 needed to finance said Projects, the excess funds so borrowed and not expended by
6 the County shall be applied by the County in payment of the next principal maturity
7 of the bonds so issued, unless the County Council of Harford County, Maryland shall
8 adopt a resolution or ordinance allocating said excess funds to finance any lawful
9 modification of such Projects, or to the extent then permitted by law, any other
10 project lawfully undertaken by the County as may be provided by subsequent
11 resolution or ordinance approved by the County Council of Harford County, Maryland.

12 SECTION 16. Be it further enacted by the County Council of Harford County,
13 Maryland that in the event the fees and charges described in Section 6 are insufficient
14 to pay the principal of and/or interest on the bonds or other indebtedness in any
15 year(s), for the purpose of paying the interest on, premium (if any) and principal of
16 the bonds or other indebtedness authorized by this Ordinance, there is hereby levied
17 and there shall hereafter be levied in each fiscal year that any of the bonds or other
18 indebtedness are outstanding, *ad valorem* taxes on real and tangible personal property
19 and intangible property subject to taxation by the County without limitation on rate
20 or amount; and, in addition, upon such other intangible property as may be subject
21 to taxation by the County within limitations prescribed by law, in an amount sufficient
22 together with funds available from other sources, to pay the annual interest on the
23 outstanding bonds or other indebtedness and to redeem the bonds or other

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1 indebtedness maturing during the succeeding year; and the full faith and credit and
2 the unlimited taxing power of the County are hereby irrevocably pledged to the
3 punctual payment of the principal of and interest on the bonds or other indebtedness
4 as and when they mature. The County, by the passage of this Ordinance, hereby
5 covenants and agrees properly and promptly to perform all of the respective acts and
6 duties defined in this Ordinance for the levy and collection of the aforesaid *ad valorem*
7 tax upon all the assessable property within the corporate limits of the County, as the
8 levy and collection of such a tax becomes necessary in order to meet the debt service
9 requirements of Harford County Water and Sewer Bonds of ~~1997~~1998. By this
10 Ordinance, the County agrees to take all action it may be legally authorized and
11 empowered to take in order to enforce, in any year in which any of the bonds or
12 other indebtedness are outstanding, the guarantee of such bonds or other
13 indebtedness by the County.

14 SECTION 17. Be it further enacted by the County Council of Harford County,
15 Maryland that as a part or all of the aggregate indebtedness authorized by this
16 Ordinance, upon written recommendation of the County Executive and adoption of
17 the Administrative Resolution (as defined in Section 17B of this Ordinance) the
18 County shall borrow upon its full faith and credit and unlimited taxing power of the
19 County, and shall issue and sell upon its full faith and credit and the unlimited taxing
20 power of the County, a bond as a single, fully-registered bond in the maximum
21 principal amount not to exceed ~~Six Million One Hundred Thirty Thousand Dollars~~
22 ~~(\$6,130,000)~~Six Million Five Hundred Twenty Thousand Dollars (\$6,520,000)
23 pursuant to the authority of the Charter, Article 25A of the Annotated Code of

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1 Maryland, and the Water Quality Act for the upgrade, expansion and improvement of
2 all or part of the sewer or waste water facility Projects (the "Facility"). The sale of
3 the bond shall be conducted as more fully described in this Section 17 of this
4 Ordinance and the aggregate amount of bonds otherwise authorized by this Ordinance
5 shall be reduced by the amount of the bond sold pursuant to the Water Quality Act.
6 The County, as a body politic and corporate and a political subdivision of the State
7 of Maryland, hereby determines to borrow money and incur indebtedness for the
8 public purpose of financing the costs of the acquisition and development of the
9 Facility which shall include: (i) actual and estimated costs of the issuance of the
10 bond, (ii) engineering expenses, (iii) inspection expenses, (iv) fiscal expenses, (v) legal
11 expenses; and (vi) interest estimated to accrue during the construction and for 24
12 months on money borrowed or expected to be borrowed. The development costs
13 shall be more fully described in the Administrative Resolution (as defined in Section
14 17B of this Ordinance). It is the intent of the County Council of Harford County,
15 Maryland that the costs of the Facility be financed with the proceeds from the sale
16 of the bond and that the County also be reimbursed out of such bond proceeds for
17 all costs of acquisition incurred by the County; provided, however, that such
18 expenses have been incurred by the County not more than one (1) year prior to the
19 issuance of the bond:

20 A. The Facility shall constitute a "wastewater facility" within the
21 meaning of Section 9-1601(n) of the Water Quality Act.

22 B. Such borrowing and indebtedness of the County shall be made and
23 incurred pursuant to Section 9-1606 and Section 9-1615(b) of the Water Quality Act

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1 and in accordance with the provisions of a Loan Agreement between the County, as
2 Borrower, and the Administration. The Loan Agreement shall be substantially in such
3 form as is approved by a resolution supplemental to this Ordinance and passed
4 subsequent to the enactment of this Ordinance (the "Administrative Resolution")
5 which Administrative Resolution shall set forth the details of the bond and the terms
6 of the loan, in such manner as shall not be inconsistent with the provisions and
7 requirements of this Ordinance. The Loan Agreement (the form of which shall be
8 attached to the Administrative Resolution and approved therein) shall contain in its
9 final form such insertions, omissions, variations, or changes (collectively "changes")
10 as may be deemed necessary or appropriate and which shall be acceptable to the
11 County Executive, and the County Executive is hereby authorized, and shall be
12 authorized by the Administrative Resolution, to make such changes in the Loan
13 Agreement as she may deem appropriate.

14 C. To evidence the payment of obligations of the County under the Loan
15 Agreement, the County shall issue and sell, upon its full faith and credit and unlimited
16 taxing power of the County, the bond, as a general obligation installment bond in the
17 maximum amount not to exceed ~~Six Million One Hundred Thirty Thousand Dollars~~
18 ~~(\$6,130,000)~~ Six Million Five Hundred Twenty Thousand Dollars (\$6,520,000) which
19 bond shall be known as "Harford County, Maryland Water Quality Bond, Series
20 1998".

21 The proceeds from the sale of the bond shall be generally used for the
22 purposes set forth in this Section 17 of this Ordinance as more fully described in the
23 project description as set forth and approved by the Administrative Resolution. The

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1 bond shall be issued as a single fully-registered bond in the maximum amount not to
2 exceed ~~Six Million One Hundred Thirty Thousand Dollars (\$6,130,000)~~ Six Million Five
3 Hundred Twenty Thousand Dollars (\$6,520,000), payable to the registered owner
4 thereof. The bond shall be dated as of the date of delivery to the purchaser; shall be
5 numbered R-1; shall be registered in the name of the Administration or its designee;
6 shall be payable in such principal installments and shall bear interest at such rate as
7 shall appear on the final executed bond. The maturity of the bond and the date of
8 final maturity shall appear in the executed bond. In no event shall the final date of
9 maturity of the bond exceed thirty (30) years from the date of issuance of the bond.
10 The interest rate upon the bond shall be determined by the Administration as a
11 percentage of the true interest cost (TIC) of the Administration's Revolving Loan Fund
12 Revenue Bonds, Series 1998 (the "Administration's Revenue Bonds").

13 The principal installments payable on the bond and the rate of interest
14 to be borne by the bond (or the manner of determining the principal payments and
15 rate of interest) shall be established by the Administrative Resolution. Such
16 determination of the principal and interest on the bond shall be in accordance with the
17 terms and conditions of the Loan Agreement. The rate of interest approved by the
18 Administrative Resolution shall in no event exceed the maximum rate permitted by
19 law and such interest rate shall appear in the executed bond.

20 The form of the bond, together with the statement of principal
21 installments (annual or semi-annual as shall be finally approved by the County
22 Executive pursuant to Section 17 of this Ordinance) and such installments of interest
23 as therein set forth, and all of the covenants and conditions as shall be contained in

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1 the bond, shall be adopted by the County Council of Harford County, Maryland
2 pursuant to the Administrative Resolution and such covenants and conditions shall
3 be made binding upon the County, including the promise to pay therein contained.
4 Execution of the bond by the County Executive shall constitute conclusive evidence
5 of such approval.

6 D. The County will also execute and deliver in connection with the
7 issuance of the bond, additional documents (the "Water Quality Documents")
8 including, but not limited to, the Loan Agreement, and such other documents,
9 agreements, instruments and certificates as the County Executive, upon advice of
10 legal counsel, shall deem necessary for the financing of the acquisition of the Facility.
11 Because this Ordinance is being adopted before all of the details of the sale of the
12 bond and the issuance and sale of the Administration's Revenue Bonds have been
13 finalized, the County Executive, pursuant to the powers reserved unto her under this
14 Section 17 and as set forth in the Administrative Resolution, is hereby authorized to
15 make such changes to the form of the bond and the Documents, including insertions
16 therein or additions or deletions thereto, as she may deem necessary to conform the
17 terms of the bond and the Water Quality Documents to the terms of the financing to
18 be provided to the County by the Administration; provided, however, that such
19 changes, additions or deletions are not in substance inconsistent with or contrary to
20 the requirements set forth in this Ordinance or in the Administrative Resolution.

21 E. The Loan Agreement and the bond shall be executed on behalf of and
22 in the name of the County by the County Executive, such execution to be made by
23 the manual or facsimile signature of the County Executive. The corporate seal of the

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1 County shall be affixed to the Loan Agreement and to the bond, and each shall be
2 attested by the signature of the Director of Administration. If any officer whose
3 signature shall appear on the bond or the Water Quality Documents shall cease to be
4 such officer before the delivery of the bond or the Water Quality Documents, such
5 signature shall nevertheless be valid and sufficient for all purposes, the same as if he
6 had remained in office until such delivery. The County Executive is hereby
7 authorized, empowered and directed to complete the applicable forms of the bond and
8 the Water Quality Documents as such forms may be approved by the County Council
9 of Harford County, Maryland through the Administrative Resolution and the County
10 Executive shall make corrections or changes thereto in any manner which the County
11 Executive, in her discretion, shall deem necessary to complete the issuance and sale
12 of the bond and the execution and delivery of the Water Quality Documents, all as
13 may promote the objectives of the County as set forth in this Ordinance. The Loan
14 Agreement and the bond, as executed by the County Executive, shall be valid and
15 legally binding obligations of the County in accordance with their terms.

16 F. Notwithstanding any section of the Charter or of Article 25A of the
17 Annotated Code of Maryland, and as authorized by Section 9-1606 of the Water
18 Quality Act, the bond may be sold at private sale to the Administration, public
19 advertisement and sale of the bond not being required by the terms of the Water
20 Quality Act, and such private sale is determined to be in the best interests of the
21 County. The details of the sale of the bond shall be determined in accordance with
22 the Administrative Resolution. The bond shall be sold for cash at not less than par
23 in accordance with the terms and provisions of this Ordinance and the Administrative

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1 Resolution. The County Executive, in her discretion, is expressly authorized and
2 empowered to take any and all action necessary to complete and close the award,
3 sale and delivery of the Bond to the Administration including, without limitation,
4 making such changes or modifications in the form of the bond and adopted therein
5 as she may deem to be necessary or appropriate to comply with Administration
6 practices and policies applicable from time to time; provided, however, that such
7 actions taken by the County Executive shall not be in substance inconsistent with or
8 contrary to the provisions of this Ordinance or the Administrative Resolution.

9 G. The proceeds of sale of the bond shall be held, invested and
10 administered by the Administration pursuant to the Loan Agreement and shall be
11 used, when and as required, to be applied from time to time as and when received
12 by the County to finance costs of the Facility in compliance with the provisions of the
13 Loan Agreement, the Charter, the Harford County Code (the "Code") and the Water
14 Quality Act. Any balance of the proceeds of the Loan remaining subsequent to
15 payment in full of all the costs of the Facility may be applied to reduce the principal
16 of the Loan in accordance with the terms of the Loan Agreement.

17 H. For the purpose of paying the maturing principal of and interest on
18 the bond when due, the County has established or shall establish a dedicated source
19 of revenues as shall be described in the Loan Agreement. In the event such revenues
20 are insufficient to meet the debt service requirements in any fiscal year in which the
21 bond is outstanding, the County shall levy in such fiscal year upon all real and
22 tangible personal property within its jurisdictional limits subject to assessment for
23 unlimited County taxation *ad valorem* taxes in rate and amount sufficient to provide

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1 for the prompt payment of such principal and interest on the bond in such fiscal year,
2 and, if the proceeds from the collection of taxes so levied in any such fiscal year are
3 inadequate for such payment, additional taxes shall be levied in the succeeding fiscal
4 year to make up such deficiency. The full faith and credit and unlimited taxing power
5 of the County are hereby irrevocably pledged to the payment of the principal of and
6 interest on the bond as and when they become due and payable and to the levy and
7 collection of the taxes hereinabove described as and when such taxes may become
8 necessary in order to provide sufficient funds to meet the debt service requirements
9 of the bond. The County hereby covenants and agrees with the registered owner of
10 the bond to levy and collect the taxes hereinabove described and to take any action
11 that may be appropriate from time to time during the period that the bond remains
12 outstanding and unpaid to provide the funds necessary to pay promptly the principal
13 and interest due thereon.

14 I. The Bond is being issued in connection with the Administration's
15 Maryland Water Quality Revolving Loan Fund Program (the "Program") and will
16 evidence the County's obligation to repay the Loan advanced from the proceeds of
17 the sale of the Administration's Revenue Bonds. The Loan Agreement limits the
18 ability of the County to prepay the bond in accordance with restrictions upon the
19 ability of the Administration to redeem the Administration's Revenue Bonds.
20 Accordingly, the County may prepay the bond only in accordance with the provisions
21 of the Loan Agreement and the terms governing prepayment as set forth in the bond.

22 J. The County Executive shall be the certifying official for the County
23 responsible for the execution and delivery on the date of the issuance of the bond of

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1 a tax and arbitrage certificate of the County that complies with the requirements of
2 Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable
3 regulations thereunder. The County Executive is hereby authorized and directed to
4 execute and deliver the tax and arbitrage certificate to counsel rendering an opinion
5 on the excludability from gross income of interest on the bond for purposes of federal
6 income taxation on the date of the issuance of the bond. The tax and arbitrage
7 certificate shall set out the reasonable expectations of the County as to relevant
8 facts, estimates and circumstances relating to the use of the proceeds of the bond
9 or of any moneys, securities or other obligations to the credit of any account of the
10 County which may be deemed to be bond proceeds under Section 148 or the
11 arbitrage regulations. The County covenants with the owner of the bond that the
12 facts, estimates and circumstances set forth in the tax and arbitrage certificate will
13 be based on the County's reasonable expectations on the date of the issuance of the
14 bond and will be, to the best of the certifying officials' knowledge, true, correct and
15 complete as of that date.

16 K. The County covenants and agrees with the registered owner of the
17 bond that it will not make, or (to the extent that it exercises control or direction)
18 permit to be made, any use of the bond proceeds that would cause the bond to be
19 an "arbitrage bond" within the meaning of Section 148 and the arbitrage regulations.
20 The County further covenants that it will comply with Section 148 of the Internal
21 Revenue Code of 1986, as amended, and the regulations thereunder which are
22 applicable to the bond on the date of issuance of the bond and which may
23 subsequently lawfully be made applicable to the bond. The County further covenants

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1 that it shall make such use of the proceeds of the bond, to the extent possible
2 regulate the investment of the proceeds thereof, and take such other and further
3 actions as may be required to maintain the excludability from gross income, for
4 federal income tax purposes, of interest on the bond. All officers, employees and
5 agents of the County are hereby authorized and directed to take such actions, and
6 to provide such certificates of facts and estimates regarding the amount and use of
7 the proceeds of the bond, as may be necessary or appropriate from time to time to
8 comply with, or to evidence the County's compliance with, the covenants set forth
9 in this Section.

10 L. The principal amount of the bond to be sold to the Administration
11 pursuant to the Water Quality Act shall be determined in a resolution adopted by the
12 County Council of Harford County, Maryland upon written recommendation of the
13 County Executive and shall constitute a portion of the ~~Six Million One Hundred Thirty~~
14 ~~Thousand Dollars (\$6,130,000)~~ Six Million Five Hundred Twenty Thousand Dollars
15 (\$6,520,000) principal amount of bonds and indebtedness authorized to be incurred
16 pursuant to this Ordinance. In no event may the aggregate indebtedness incurred by
17 the County pursuant to this Ordinance exceed ~~Six Million One Hundred Thirty~~
18 ~~Thousand Dollars (\$6,130,000)~~ Six Million Five Hundred Twenty Thousand Dollars
19 (\$6,520,000).

20 SECTION 18. Be it further enacted by the County Council of Harford County,
21 Maryland that Harford County, Maryland is hereby authorized and empowered from
22 time to time to issue its Bond Anticipation Note or Notes on the full faith and credit
23 and unlimited taxing power of the County in an amount not exceeding ~~Six Million One~~

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1 ~~Hundred Thirty Dollars (\$6,130,000)~~ Six Million Five Hundred Twenty Thousand
2 Dollars (\$6,520,000), the net proceeds of such sale to be used to finance part or all
3 of the cost of the Projects; the sale of such Notes to be upon such terms as may be
4 directed by resolution of the County Council of Harford County, Maryland.

5 Such Bond Anticipation Note or Notes or other evidence of indebtedness shall
6 not have a maturity in excess of twelve (12) months from the date of issue.

7 The Treasurer of Harford County, Maryland, prior to the issuance of any such
8 Bond Anticipation Note or Notes or other evidence of indebtedness of the County
9 shall present the terms of such notes to the County Council of Harford County,
10 Maryland for approval by Resolution of the County Council of Harford County,
11 Maryland prior to the issuance of such Bond Anticipation Note or Notes.

12 The Bond Anticipation Note or Notes will bear interest at the rate or rates so
13 negotiated by the Treasurer and approved by Resolution of the County Council of
14 Harford County, Maryland and the Bond Anticipation Note or Notes when issued shall
15 be issued in the name of Harford County by the signature of the County Executive,
16 the corporate seal of the County shall be imprinted on such Bond Anticipation Note
17 or Notes and such Bond Anticipation Note or Notes shall be used only for those
18 purposes approved in a Resolution of the County Council of Harford County, Maryland
19 adopted subsequent to the adoption of this Ordinance.

20 The Bond Anticipation Note or Notes shall not be issued in an amount greater
21 than the amount of bonds or other indebtedness authorized in anticipation of the sale
22 of which the Bond Anticipation Note or Notes are issued and sold.

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1 The principal of and interest on the Bond Anticipation Note or Notes shall be
2 payable out of the first proceeds of sale of the bonds, or from the tax or other
3 revenue which the County shall previously determine to apply to the payment of the
4 bonds and interest thereon.

5 Twelve (12) months interest on the Bond Anticipation Note or Notes or any
6 renewal thereof may be paid from the proceeds of sale of the bonds accounting from
7 the initial date of issue thereof.

8 By resolution adopted by the County Council of Harford County, Maryland, the
9 County may provide for the renewal of the Bond Anticipation Note or Notes at
10 maturity with or without resale.

11 Immediately after the sale of the Bond Anticipation Note or Notes and approval
12 by resolution of the County Council of Harford County, Maryland, the proceeds of
13 sale of such Bond Anticipation Note or Notes, after payment of expenses of issuing
14 the same, shall be paid to the Department of the Treasury of Harford County,
15 Maryland. The proceeds of sale of the Bond Anticipation Note or Notes shall be
16 expended only to finance the Projects as defined above.

17 SECTION 19. Be it further enacted by the County Council of Harford County,
18 Maryland that pursuant to Treasury Regulations 1.150-2, governing the use of bond
19 proceeds for the purpose of reimbursing expenditures paid prior to the issuance of
20 bonds, and as permitted by Treasury Regulations 1.150-2(e)(1), the Treasurer of
21 Harford County, Maryland is hereby duly designated to make declarations of Official
22 Intent on behalf of the County. The County expects that all or a part of the capital
23 expenditures for the Projects will be paid prior to the issuance of the Bonds, and that

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1 the proceeds of the Bonds will be used to reimburse the County for capital
2 expenditures paid prior to the issuance of the Bonds. The County reasonably expects
3 to reimburse a portion of the capital expenditures for the Projects with proceeds of
4 the Bonds, in the maximum principal amount of \$2,000,000, and this Ordinance and
5 shall be available for public inspection at the offices of the County during regular
6 business hours and in accordance with the laws of the State of Maryland and Harford
7 County, regarding access to public records.

8 SECTION 20. Be it further enacted by the County Council of Harford County,
9 Maryland that the County covenants and agrees with the registered owners, from
10 time to time, of the Bonds as follows:

11 (a) The County covenants that it will not make any use of the proceeds
12 of any of the Bonds or any moneys, securities or other obligations on deposit to the
13 credit of the County or otherwise which may be deemed by the Internal Revenue
14 Service to be proceeds of any of the Bonds pursuant to the Internal Revenue Code
15 of 1986, as amended, and Income Tax Regulations thereunder (collectively, the
16 "Code"), which would cause any of the Bonds to be "arbitrage bonds" or "private
17 activity bonds" within the meaning of the Code.

18 (b) The County further covenants that it will comply with those
19 provisions of the Code which are applicable to the Bonds on the date of issuance of
20 the Bonds and which may subsequently lawfully be made applicable to the Bonds.
21 To the extent that provisions of the Code apply to only a portion of the Bonds,
22 proceeds of the Bonds or other moneys, securities or other obligations deemed to be
23 proceeds, it is intended that the covenants of the County contained in this Section

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1 19 be construed so as to require the County to comply with the provisions of the
2 Code only to the extent of such applicability.

3 (c) The County further covenants that it will not (i) take any action, (ii)
4 fail to take any action, or (iii) make any use of the proceeds of any of the Bonds
5 which would cause the interest on any of the Bonds to be or become subject to
6 federal income taxes in the hands of the registered holders of any of the Bonds.

7 (d) The County further covenants, in order to assist bidders in complying
8 with SEC Rule 15c2-12(b)(5), pursuant to a continuing disclosure agreement (the
9 "Continuing Disclosure Agreement") signed by the County Executive, Treasurer and
10 Director of Administration, to provide annual reports and notices of certain events.
11 The undertaking of the County in the Continuing Disclosure Agreement shall be
12 described in any Preliminary Official Statement and Official Statement and any
13 amendment or supplement thereto.

14 SECTION 21. Be it further enacted by the County Council of Harford County,
15 Maryland that upon recommendation of the County Executive, the County Council of
16 Harford County, Maryland may adopt a resolution pursuant to Article 31, Section 2C
17 of the Annotated Code of Maryland (1997 Replacement Volume), authorizing the loan
18 authorized to be incurred and the bonds authorized to be sold by this Ordinance, to
19 be consolidated for sale and issued, sold and delivered as a single issue of bonds with
20 other bonds authorized to be sold to finance capital projects described in the Annual
21 Budget and Appropriation Ordinances, as amended, or described in the Annual Budget
22 and Appropriations Ordinances adopted by the County Council of Harford County,
23 Maryland.

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1 SECTION 22. Be it further enacted by the County Council of Harford County,
2 Maryland that the provisions of this Ordinance are severable, and if any provision,
3 sentence, clause, section or part hereof is held illegal, invalid or unconstitutional or
4 inapplicable to any person or circumstances, such illegality, invalidity or
5 unconstitutionality, or inapplicability shall not affect or impair any of the remaining
6 provisions, sentences, clauses, sections or parts of this Ordinance or their application
7 to other persons or circumstances. It is hereby declared to be the legislative intent
8 that this Ordinance would have been passed if such illegal, invalid or unconstitutional
9 provision, sentence, clause, section or part had not been included herein, as if the
10 person or circumstances to which this Ordinance or any part hereof are inapplicable
11 had been specifically exempted therefrom.

12 SECTION 23. And be it further enacted by the County Council of Harford
13 County, Maryland that this Ordinance shall take effect sixty (60) calendar days from
14 the date it became law.

15 EFFECTIVE: July 28, 1997

97-43
AS AMENDED

HARFORD COUNTY BILL NO. 97-43 (as amended)

(Brief Title) 1997 Water and Sewer Bonds

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Vammy
Acting Council Administrator

Loanne S. Carroll
President of the Council

Date May 20, 1997

Date May 20, 1997

BY THE COUNCIL

Read the third time.

Passed: LSD 97-15 (May 20, 1997)

Failed of Passage: _____

By Order

James D. Vammy
Acting Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 22nd day of May, 1997 at 3:00 p. m.

James D. Vammy
Acting Council Administrator

BY THE EXECUTIVE

Eileen M. Redmann
COUNTY EXECUTIVE

APPROVED: Date May 28, 1997

BY THE COUNCIL

This Bill (No. 97-43, as amended), having been approved by the Executive and returned to the Council, becomes law on May 28, 1997.

James D. Vammy
Acting Council Administrator

EFFECTIVE DATE: July 28, 1997

97-43
AS AMENDED